

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROXANN WALKER
7000 Carson Avenue
Apt. 5
Cleveland, OH 44104

Plaintiff

v.

UNITED STATES OF AMERICA
Carol Skutnik
United States Attorney for the Northern
District of Ohio
Office of the United States Attorney
United States Courthouse
801 West Superior Avenue
Suite 400
Cleveland, OH 44113

Defendant

CASE NUMBER:

JUDGE:

TYPE: PERSONAL INJURY
OTHER TORT

COMPLAINT

PARTIES AND JURISDICTION

1. Plaintiff is a resident of the City of Cleveland, County of Cuyahoga, and State of Ohio, residing at 7000 Carson Avenue, Apt. 5, Cleveland, OH 44104.
2. At all times pertinent herein, Non-Party Danesha Allen was an employee, agent or representative of the U.S. Postal Service acting on behalf of defendant.
3. This Court has jurisdiction over this case pursuant to 28 U.S.C. §1346(b). This claim is being brought pursuant to the Federal Tort Claims Act, 28 U.S.C. §2671 et seq.
4. Plaintiff's injuries as alleged in the complaint were a result of the negligence of

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Non-Party Danesha Allen, a U.S. Postal Service employee acting in the course and scope of her employment with defendant.

5. On August 21, 2024, plaintiff's tort claim was brought before the United States Postal Service as required by 28 U.S.C. §2401(b) and 39 C.F.R. 912. No denial nor offer has been extended by the United States Postal Service as of this date.

6. This action is being brought in compliance with the statute of limitations contained in 28 U.S.C. §2401(b), 28 U.S.C. §2675 and 39 CFR 912.9(a).

FIRST CAUSE OF ACTION

7. Plaintiff restates and realleges each and every preceding paragraph as if fully rewritten herein.

8. On November 11, 2023, at the intersection of East 37th Street and Central Avenue, in the City of Cleveland, County of Cuyahoga, and State of Ohio, Non-Party Danesha Allen negligently operated a vehicle owned by defendant into the motor vehicle operated by plaintiff, causing severe personal injury to plaintiff.

9. As a result of Non-Party Danesha Allen's negligence, while in the course and scope of her employment with defendant, plaintiff suffered injuries of the neck, back, head, legs and other parts of her body, causing pain, permanent damage and loss of life's enjoyment.

10. Plaintiff has incurred medical and hospital expenses as a result of her injuries and expects to incur further such expenses.

WHEREFORE, plaintiffs demand judgment against the United States of America for compensatory damages in excess of Twenty-five Thousand Dollars (\$25,000.00, and for any other relief allowed by law and which this Court deems appropriate.

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Respectfully submitted,

FRIEDMAN, DOMIANO & SMITH CO.,
L.P.A.

/s/ Edmond G. Bennett (0103045)

/s/ Marco G. Bocciarelli (0076617)

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